#### CITY COUNCIL MINUTES **April 9, 2012**

The Honorable Council of the City of Evansville met on regular session at 5:30 p.m. on Monday, April 9, 2012 in the City Council Chambers, Room 301 Civic Center Complex, Evansville, Indiana, with President Connie Robinson presiding. The following business was conducted.

These minutes are not intended to be a verbatim transcript. Audiotapes of this meeting are on file in the City Clerk's Office.

#### ROLL CALL:

Present: M<sup>c</sup>Ginn, Mosby, Brinkerhoff-Riley, Friend, Lindsey, Adams, O'Daniel, Weaver, Robinson.

There being nine (9) members present and zero (0) members absent and nine (9) members representing a quorum, I hereby declare this session of the Common Council officially open.

#### PLEDGE OF ALLEGIANCE

This evening the pledge of allegiance was led by Councilman Weaver.

Fellow Councilmen and those in the audience, welcome to the April 9, 2012 meeting of the Common Council.

#### TEEN ADVISORY COUNCIL

Dorothy English, Chasity Myuns.

#### **COUNCIL ATTORNEY**

John Hamilton is City Council Attorney this evening.

#### SERGEANT AT ARMS

This evening there is not a Sergeant at Arms.

#### READING AND AMENDMENT OF MINUTES

Is there a motion to approve the minutes of the March 26, 2012 meeting of the Common Council as written?

Councilwoman Mosby moved and Councilman O'Daniel seconded the motion to approve the minutes of the regular meeting of the Common Council held March 26, 2012. Voice vote. So ordered.

## REPORTS AND COMMUNICATIONS IN YOUR APRIL $6^{TH}$ PACKET:

- \*City Council Agenda for the April 9, 2012 City Council meeting.
- \*Committee Meeting Schedule.
- \*City Council Meeting Minutes from the March 26, 2012.
- \*Field Staff Reports and Minutes from March 8, 2012 Area Plan Commission meeting.
- \*Ordinances G-2012-6, F-2012-3, and F-2012-4.
- \*Ordinance F-2012-2 as amended.
- \*Ordinances R-2012-10 and R-2012-11.

\*A Schedule of Meetings in the City/County Administration Building for April, 2012.

\*A CD Containing the Emergency Management Plan.

Councilwoman Mosby moved and Councilwoman Brinkerhoff-Riley seconded the motion to receive, file and make these reports and communications a part of the minutes of the meeting. Voice vote. So ordered.

#### CONSENT AGENDA

#### FIRST READING OF ORDINANCES OR RESOLUTIONS

ORDINANCE G-2012-6

**PUBLIC WORKS** 

M<sup>c</sup>GINN

An Ordinance to vacate certain public ways or public places within the City of Evansville, Indiana commonly known as the alley way immediately east of 3100 Taylor Avenue, Evansville, Indiana along with the adjacent four (4) foot public easement.

#### ORDINANCE F-2012-3

**FINANCE** 

**FRIEND** 

An Ordinance of The Common Council of the City of Evansville authorizing transfers and reappropriations of funds within a city department (DMD)

#### ORDINANCE F-2012-4

**FINANCE** 

**FRIEND** 

An Ordinance of The Common Council of the City of Evansville authorizing transfers of appropriations, additional appropriations and repeal and re-appropriation of funds for various city funds.

#### **ORDINANCE R-2012-10**

TO APC

C-1 to C-4

An Ordinance to Rezone Certain Real Estate in the City of Evansville, State of Indiana, more commonly known as 4701 N. First Avenue.

Petitioner:

Walgreen Company

Owners:

Walgreen Company

Representative:

Steven L. Bohleber

District:

John Friend, Ward 5

#### ORDINANCE R-2012-11

TO APC

<u>C-4 to R-2</u>

An Ordinance to Rezone Certain Real Estate in the City of Evansville, State of Indiana, more commonly known as 3400 W. Virginia Street

Petitioner:

Gerald J. Wildeman

Owners:

Gerald J. Wildeman

Representative:

District:

Al Lindsey, Ward 6

Councilman McGinn moved and Councilman O'Daniel seconded the motion to adopt the Consent Agenda First Reading as written. Voice vote. So ordered.

**CONSENT AGENDA** 

SECOND READING OF ZONING ORDINANCES

ORDINANCE R-2012-1 FROM APC

C-2 TO M-2

An Ordinance to Rezone Certain Real Estate in the City of Evansville, State of Indiana, more commonly known as 1430 West Franklin Street

Petitioner:

Davidson Family Adventures, LLC

Owners:

D. Andy Davidson

Representative:

Brian K. Carroll

District:

Al Lindsey, Ward 6

This petition comes forward with a recommendation for approval from the Area Plan Commission, having 11 affirmative votes and 1 abstention.

ORDINANCE R-2012-2 FROM APC

M-1 TO M-2 with U&D Comm.

An Ordinance to Rezone Certain Real Estate in the City of Evansville, State of Indiana, more commonly known as 5701 Old Boonville Hwy. and 5727 Old Boonville Hwy.

Petitioner:

Hoosier Bluegrass, LLC

Owners:

Same

Representative:

Krista B. Lockyear

District:

Stephanie Brinkerhoff-Riley, Ward 3

This petition comes forward with a recommendation for approval from the Area Plan Commission, having 12 affirmative votes.

#### ORDINANCE R-2012-3 FROM APC

R-2 to C-1

An Ordinance to Rezone Certain Real Estate in the City of Evansville, State of Indiana, more commonly known as 517 and 521 Monroe Avenue, Evansville, Indiana 47713

Petitioner:

Annie J. Robinson

Owners:

Same

Representative:

Douglas K. Briody, Esq.

District:

Constance Robinson, Ward 4

This petition comes forward with a recommendation for approval from the Area Plan Commission, having 11 affirmative votes and 1 abstention.

#### ORDINANCE R-2012-4 FROM APC

R-4 to C-4 with U&D Comm.

An Ordinance to Rezone Certain Real Estate in the City of Evansville, State of Indiana, more commonly known as 306 Chandler Ave., Evansville, Indiana 47713

Petitioner:

ECHO Community Health Care, Inc.

Owners:

Same

Representative:

Krista B. Lockyear

District:

Constance Robinson, Ward 4

This petition comes forward with a recommendation for denial from the Area Plan Commission, having 1 affirmative votes and 11 negative votes.

#### ORDINANCE R-2012-5 FROM APC C-4 & R-1 to C-4 with U & D Comm.

An Ordinance to Rezone Certain Real Estate in the City of Evansville, State of Indiana, more commonly known as 2317 S. Weinbach Avenue & 1804 E. Riverside

Petitioner:

East Side Marine, Inc.

Owners:

Robert Wayne and Dixie Lee Herendeen

Representative:

Krista B. Lockyear

District:

Missy Mosby, Ward 2

This petition comes forward with no action from the Area Plan Commission, having 6 affirmative votes, 4 negative votes and 2 abstentions.

Councilwoman Mosby moved and Councilman Weaver seconded the motion to adopt the Consent Agenda Second Reading of Zoning Ordinances and to accept the Area Plan Commission Report. Voice vote. So ordered. Council now stands at Third Reading which is final action.

#### REGULAR AGENDA

#### THIRD READING OF ZONING ORDINANCES

#### ORDINANCE R-2012-1 FROM APC

C-2 TO M-2

An Ordinance to Rezone Certain Real Estate in the City of Evansville, State of Indiana, more commonly known as 1430 West Franklin Street

Petitioner:

Davidson Family Adventures, LLC

Councilman O'Daniel moved and Councilman Friend seconded the motion to adopt Ordinance R -2012-1 and call the roll.

#### ROLL CALL

Ayes: M<sup>c</sup>Ginn, Mosby, Brinkerhoff-Riley, Friend, Lindsey, Adams, O'Daniel, Weaver, Robinson.

There being nine (9) Ayes and zero (0) Nays, Ordinance R-2012-1 is hereby declared adopted.

#### REGULAR AGENDA

#### THIRD READING OF ZONING ORDINANCES

#### ORDINANCE R-2012-2 FROM APC

M-1 TO M-2 with U&D Comm.

An Ordinance to Rezone Certain Real Estate in the City of Evansville, State of Indiana, more commonly known as 5701 Old Boonville Hwy. and 5727 Old Boonville Hwy.

Petitioner:

Hoosier Bluegrass, LLC

Councilman Friend moved and Councilman Adams seconded the motion to adopt Ordinance R -2012-2 and call the roll.

#### **ROLL CALL**

Ayes: M<sup>e</sup>Ginn, Mosby, Brinkerhoff-Riley, Friend, Lindsey, Adams, O'Daniel, Weaver, Robinson.

There being nine (9) Ayes and zero (0) Nays, Ordinance R-2012-2 is hereby declared adopted.

REGULAR AGENDA

#### THIRD READING OF ZONING ORDINANCES

#### ORDINANCE R-2012-3 FROM APC

R-2 to C-1

An Ordinance to Rezone Certain Real Estate in the City of Evansville, State of Indiana, more commonly known as 517 and 521 Monroe Avenue, Evansville, Indiana 47713

Petitioner: Annie J. Robinson

Councilman Weaver moved and Councilwoman Mosby seconded the motion to adopt Ordinance R -2012-3 and call the roll.

#### ROLL CALL

Ayes: M<sup>e</sup>Ginn, Mosby, Brinkerhoff-Riley, Friend, Lindsey, Adams, O'Daniel, Weaver, Robinson

There being nine (9) Ayes and zero (0) Nays, Ordinance R-2012-3 is hereby declared adopted.

#### REGULAR AGENDA

#### THIRD READING OF ZONING ORDINANCES

#### ORDINANCE R-2012-4 FROM APC

R-4 to C-4 with U&D Comm.

An Ordinance to Rezone Certain Real Estate in the City of Evansville, State of Indiana, more commonly known as 306 Chandler Ave., Evansville, Indiana 47713

Petitioner:

ECHO Community Health Care, Inc.

Councilman Adams moved and Councilman O'Daniel seconded the motion to send Ordinance R -2012-4 back to Area Plan and call the roll.

#### ROLL CALL

Ayes: M<sup>c</sup>Ginn, Mosby, Brinkerhoff-Riley, Friend, Lindsey, Adams, O'Daniel, Weaver, Robinson

There being nine (9) Ayes and zero (0) Nays, Ordinance R-2012-4 is hereby sent back to Area Plan.

#### REGULAR AGENDA

#### THIRD READING OF ZONING ORDINANCES

#### ORDINANCE R-2012-5 FROM APC C-4 & R-1 to C-4 with U & D Comm.

An Ordinance to Rezone Certain Real Estate in the City of Evansville, State of Indiana, more commonly known as 2317 S. Weinbach Avenue & 1804 E. Riverside

Petitioner:

East Side Marine, Inc.

Councilman Adams moved and Councilman Friend seconded the motion to send Ordinance R -2012-5 back to Area Plan. Voice vote. So ordered.

#### CONSENT AGENDA

#### SECOND READING OF ORDINANCES OR RESOLUTIONS

#### ORDINANCE G-2012-5

A.S.D.

**MOSBY** 

An Ordinance amending the Municipal Code of the City of Evansville: Zoning Code.

#### ORDINANCE F-2012-2 (as amended) FINANCE

FRIEND

An Ordinance of The Common Council of the City of Evansville authorizing transfers of appropriations, additional appropriations and repeal and re-appropriation of funds for various city funds.

#### **RESOLUTION C-2012-3**

**FINANCE** 

**FRIEND** 

A Resolution of the Common Council of the City of Evansville Declaring an Industrial Recovery Site for 5401 US highway 41 North, Evansville, IN 47711

#### **COMMITTEE REPORTS:**

#### A.S.D. COMMITTEE

#### **CHAIRWOMAN MOSBY**

Councilwoman Mosby: Madam President, your A.S.D. Committee met earlier this evening to hear Ordinance G-2012-5 and it comes forward with a do pass recommendation.

#### FINANCE COMMITTEE

#### **CHAIRMAN FRIEND**

**Councilman Friend:** Madam President, your Finance Committee met this evening to hear Ordinance F-2012-2 (as amended) and Resolution C-2012-3 and both come forward with a do pass recommendation.

Councilman O'Daniel moved and Councilman Weaver seconded the motion to adopt the Committee Reports and move these Ordinances and Resolution to Third Reading. Voice vote. So ordered.

#### **REGULAR AGENDA**

#### THIRD READING OF ORDINANCES OR RESOLUTIONS

ORDINANCE G-2012-5

A.S.D.

**MOSBY** 

An Ordinance amending the Municipal Code of the City of Evansville: Zoning Code.

Councilwoman Mosby moved and Councilman Friend seconded the motion to adopt Ordinance G-2012-5 and call the roll.

#### ROLL CALL

Ayes: M<sup>c</sup>Ginn, Mosby, Brinkerhoff-Riley, Friend, Lindsey, Adams, O'Daniel, Weaver, Robinson.

There being nine (9) Ayes and zero (0) Nays, Ordinance G-2012-5 is hereby declared adopted.

#### **REGULAR AGENDA**

#### THIRD READING OF ORDINANCES OR RESOLUTIONS

#### ORDINANCE F-2012-2 (as amended) FINANCE

FRIEND

An Ordinance of The Common Council of the City of Evansville authorizing transfers of appropriations, additional appropriations and repeal and re-appropriation of funds for various city funds.

Councilman Friend moved and Councilwoman Brinkerhoff-Riley seconded the motion to adopt Ordinance F-2012-2 as amended and call the roll.

#### ROLL CALL

Ayes: M<sup>©</sup>Ginn, Mosby, Brinkerhoff-Riley, Friend, Lindsey, Adams, O'Daniel, Weaver, Robinson.

There being nine (9) Ayes and zero (0) Nays, Ordinance F-2012-2 as amended is hereby declared adopted.

#### REGULAR AGENDA

#### THIRD READING OF ORDINANCES OR RESOLUTIONS

RESOLUTION C-2012-3

**FINANCE** 

FRIEND

A Resolution of the Common Council of the City of Evansville Declaring an Industrial Recovery Site for 5401 US highway 41 North, Evansville, IN 47711

Councilman Weaver moved and Councilman Friend seconded the motion to adopt Resolution C-2012-3 and call the roll.

#### ROLL CALL

Ayes: M<sup>c</sup>Ginn, Mosby, Brinkerhoff-Riley, Friend, Lindsey, Adams, O'Daniel, Weaver, Robinson

There being nine (9) Ayes and zero (0) Nays, Resolution C-2012-3 is hereby declared adopted.

#### MISCELLANEOUS BUSINESS

There will not be a City Council Meeting on Monday, April 16, 2012. The next City Council meeting will be Monday, April 23, 2012 at 5:30 p.m. Committee meetings will begin at 5:10 p.m. on April 23<sup>rd</sup>.

#### **COMMITTEE REPORTS:**

## Youth Sports Grant Subcommittee Mtg.

Date: April 10, 2012

Chairman Dan M<sup>c</sup>Ginn

Time: 4:00 p.m. to 6:00 p.m.

Members: Mosby, Weaver, Friend,

Room 301

Robinson

#### ASD COMMITTEE:

#### CHAIRWOMAN MOSBY

Nothing scheduled at this time.

#### FINANCE COMMITTEE:

#### **CHAIRMAN FRIEND**

Ordinance F-2012-3 Date: April 23, 2012 An ordinance authorizing transfers and re-appropriations of funds within a

Time: 5:10 p.m.

city department (DMD)

Notify: Jane Reel

Ordinance F-2012-4 Date: April 23, 2012 Time: 5:15 p.m.

Notify: Russell Lloyd

An ordinance authorizing transfers of appropriations, additional appropriations and repeal and re-appropriation of funds

for various city funds

**PUBLIC WORKS COMMITTEE:** 

Ordinance: G-2012-6

Date: April 23, 2012 Time: 5:20 p.m. Notify: Brian Carroll CHAIRMAN McGINN

An ordinance to vacate

part of an alley at 3100 Taylor Dr.

#### **ADJOURNMENT**

Councilwoman Mosby moved and Councilman O'Daniel seconded the motion to adjourn. Voice Vote. So Ordered. Meeting adjourned at 6:10 p.m.

Alberta Matlock, City Clerk

alberta Matlock

Constance Robinson, President

City Council Agenda Evansville, Indiana April 9, 2012 Civic Center, Room 301 5:30 p.m.

ROLL CALL

PLEDGE OF ALLEGIANCE

RECOGNITION OF SCHOOLS

TEEN ADVISORY COUNCIL

READING AND AMENDMENT OF MINUTES

REPORTS AND COMMUNICATIONS

CONSENT AGENDA

FIRST READING OF ORDINANCES OR RESOLUTIONS

ORDINANCE G-2012-6 PUBLIC WORKS

M<sup>c</sup>GINN

An Ordinance to vacate certain public ways or public places within the City of Evansville, Indiana commonly known as the alley way immediately east of 3100 Taylor Avenue, Evansville, Indiana along with the adjacent four (4) foot public easement.

ORDINANCE F-2012-3

**FINANCE** 

FRIEND

An Ordinance of The Common Council of the City of Evansville authorizing transfers and re-appropriations of funds within a city department (DMD)

ORDINANCE F-2012-4

**FINANCE** 

FRIEND

An Ordinance of The Common Council of the City of Evansville authorizing transfers of appropriations, additional appropriations and repeal and re-appropriation of funds for various city funds.

ORDINANCE R-2012-10 TO APC

C-1 to C-4

An Ordinance to Rezone Certain Real Estate in the City of Evansville, State of Indiana, more commonly known as 4701 N. First Avenue.

Petitioner:

Walgreen Company

Owners:

Walgreen Company

Representative:

Steven L. Bohleber

District:

John Friend, Ward 5

ORDINANCE R-2012-11 TO APC

C-4 to R-2

An Ordinance to Rezone Certain Real Estate in the City of Evansville, State of Indiana, more commonly known as 3400 W. Virginia Street

Petitioner:

Gerald J. Wildeman

Owners:

Gerald J. Wildeman

Representative:

District:

Al Lindsey, Ward 6

City Council Agenda Evansville, Indiana April 9, 2012 Civic Center, Room 301 5:30 p.m.

**CONSENT AGENDA** 

ORDINANCE R-2012-1

SECOND READING OF ZONING ORDINANCES

C-2 TO M-2

FROM APC An Ordinance to Rezone Certain Real Estate in the City of Evansville, State of Indiana, more commonly known as 1430 West Franklin Street

Petitioner:

Davidson Family Adventures, LLC

Owners:

D. Andy Davidson

Representative:

Brian K. Carroll

District:

Al Lindsey, Ward 6

This petition comes forward with a recommendation for approval from the Area Plan Commission, having 11 affirmative votes and 1 abstention.

#### FROM APC M-1 TO M-2 with U&D Comm. ORDINANCE R-2012-2

An Ordinance to Rezone Certain Real Estate in the City of Evansville, State of Indiana, more commonly known as 5701 Old Boonville Hwy. and 5727 Old Boonville Hwy.

Petitioner:

Hoosier Bluegrass, LLC

Owners:

Same

Representative:

Krista B. Lockyear

District:

Stephanie Brinkerhoff-Riley, Ward 3

This petition comes forward with a recommendation for approval from the Area Plan Commission, having 12 affirmative votes.

#### ORDINANCE R-2012-3

FROM APC

R-2 to C-1

An Ordinance to Rezone Certain Real Estate in the City of Evansville, State of Indiana, more commonly known as 517 and 521 Monroe Avenue, Evansville, Indiana 47713

Petitioner:

Annie J. Robinson

Owners:

Same

Representative:

Douglas K. Briody, Esq.

District:

Constance Robinson, Ward 4

This petition comes forward with a recommendation for approval from the Area Plan Commission, having 11 affirmative votes and 1 abstention.

#### REGULAR AGENDA

## THIRD READING OF ZONING ORDINANCES

ORDINANCE R-2012-1

FROM APC

C-2 TO M-2

An Ordinance to Rezone Certain Real Estate in the City of Evansville, State of Indiana, more commonly known as 1430 West Franklin Street

Petitioner:

Davidson Family Adventures, LLC

#### **ORDINANCE R-2012-2** FROM APC M-1 TO M-2 with U&D Comm.

An Ordinance to Rezone Certain Real Estate in the City of Evansville, State of Indiana, more commonly known as 5701 Old Boonville Hwy. and 5727 Old Boonville Hwy.

Petitioner:

Hoosier Bluegrass, LLC

City Council Agenda Evansville, Indiana April 9, 2012 Civic Center, Room 301 5:30 p.m.

**ORDINANCE R-2012-3** 

FROM APC

R-2 to C-1

An Ordinance to Rezone Certain Real Estate in the City of Evansville, State of Indiana, more commonly known as 517 and 521 Monroe Avenue, Evansville, Indiana 47713 Petitioner:

Annie J. Robinson

**CONSENT AGENDA** 

SECOND READING OF ORDINANCES OR RESOLUTIONS

**ORDINANCE G-2012-5** 

A.S.D.

**MOSBY** 

An Ordinance amending the Municipal Code of the City of Evansville: Zoning Code.

ORDINANCE F-2012-2 (as amended) FINANCE

FRIEND

An Ordinance of The Common Council of the City of Evansville authorizing transfers of appropriations, additional appropriations and repeal and re-appropriation of funds for various city funds.

**RESOLUTION C-2012-3** 

FINANCE

FRIEND

A Resolution of the Common Council of the City of Evansville Declaring an Industrial Recovery Site for 5401 US highway 41 North, Evansville, IN 47711

#### **MISCELLANEOUS BUSINESS**

There will not be a City Council Meeting on Monday, April 16, 2012. The next City Council meeting will be Monday, April 23, 2012 at 5:30 p.m. Committee meetings will begin at 5:10 p.m. on April 23<sup>rd</sup>.

#### **ADJOURNMENT**

# CITY COUNCIL COMMITTEE MEETING SCHEDULE

**April 9, 2012** 

YOUTH LEADERSHIP GRANT SUBCOMMITTEE MEETING

Date: April 9, 2012 Time: 4:00 p.m. Room: 318

Notify: Chairman Dan Adams

Council Members: Missy Mosby, Conor O'Daniel, Stephanie Brinkerhoff-Riley, Al Lindsey

**April 9, 2012** 

FINANCE COMMITTEE: CHAIRMAN FRIEND

Resolution C-2012-3 A Resolution declaring an Industrial Recovery

Date: April 9, 2012 Site for 5401 US Highway 41

Time: 5:10 p.m. Notify: Debbie Dewey (GAGE)

Ordinance F-2012-2 Authorizing Transfers of Appropriations, Date: April 9, 2012 Additional Appropriations, and Repeal and Re-appropriation of funds

Time: 5:15 p.m. and Re-ap Notify: Russell G. Lloyd, City Controller

A.S.D. COMMITTEE: CHAIRWOMAN MISSY MOSBY

Ordinance G-2012-5

An ordinance amending the Municipal Code

Date: April 9, 2012 concerning the zoning code Time: 5:20 p.m.

Notify: Janet Greenwell (APC)

**April 10, 2012** 

YOUTH SPORTS GRANT SUBCOMMITTEE MEETING

Date: April 10, 2012 Time: 4:00 p.m. Room: 301

Notify: Chairman Dan M<sup>c</sup>Ginn

Council Members: Missy Mosby, Jonathan Weaver, John Friend, Connie Robinson

## **April 23, 2012**

## FINANCE COMMITTEE:

Ordinance F-2012-3 Date: April 23, 2012 Time: 5:10 p.m. Notify: Jane Reel

Ordinance F-2012-4 Date: April 23, 2012 Time: 5:15 p.m. Notify: Russell Lloyd

#### **PUBLIC WORKS COMMITTEE:**

Ordinance: G-2012-6 Date: April 23, 2012 Time: 5:20 p.m. Notify: Brian Carroll

#### CHAIRMAN JOHN FRIEND

An ordinance authorizing transfers and re-appropriations of funds within a city department (DMD)

An ordinance authorizing transfers of appropriations, additional appropriations and repeal and re-appropriation of funds for various city funds

#### CHAIRMAN DAN MEGINN

An ordinance to vacate part of an alley at 3100 Taylor Dr.

### AMENDED AGENDA

The Honorable Council of the City of Evansville is hereby called to order. Madam Clerk, please call the roll.

ROLL CALL		
M GINN	FRIEND	O'DANIEL
MOSBÝ	LINDSEY	WEAVER
BRINKERHOFF-RILEY	ADAMS	ROBINSON
There being <u>Q</u> members present, representing a quorum, I hereby decopened.	members abser clare this session of C	nt, and 9 members ommon Council officially
PLEDGE OF ALLEGIANCE This evening the pledge of allegiand	ce will be led by	Weaver.
Fellow Councilmen and those in the the Common Council.	e audience, welcome t	to the April 9, 2012 meeting of
RECOGNITION OF SCHOOLS Are there any students in the audien	ace who would like to	be recognized?
SCHOOL:		OOL: ME:
TEEN ADVISORY COUNCIL  OCOTA Y Fralish  Chast T Myers		
COUNCIL ATTORNEY This evening John Hamilton is City	Council Attorney.	
SERGEANT AT ARMS This evening Officer	is our Serge	eant at Arms.
READING AND AMENDMENT Is there a motion to approve the mir Council as written?	nutes of the March 26	, 2012 meeting of the Common
Councilman MOSby ma	oved and Councilman	O'DaNie seconded the
motion that the minutes of the regul		
March 26, 2012 be approved as writ	ten. Voice vote	So ordered

# REPORTS AND COMMUNICATIONS IN YOUR APRIL 6<sup>TH</sup> PACKET:

- \*City Council Agenda for the April 9, 2012 City Council meeting.
- \*Committee Meeting Schedule.
- \*City Council Meeting Minutes from the March 26, 2012.
- \*Field Staff Reports and Minutes from March 8, 2012 Area Plan Commission meeting.
- \*Ordinances G-2012-6, F-2012-3, and F-2012-4.
- \*Ordinance F-2012-2 as amended.
- \*Ordinances R-2012-10 and R-2012-11.
- \*A Schedule of Meetings in the City/County Administration Building for April, 2012.
- \*A CD Containing the Emergency Management Plan.

#### ON YOUR DESK THIS EVENING:

Councilman moved and Councilman seconded the motion to receive, file and make these reports and communicate	tions a part of
acconded the motion to receive, the and make an area	•
the minutes of the meeting. Voice vote So ordered	

CONSENT AGENI FIRST READING	<u>DA</u> OF ORDINANCES OR RI	ESOLUTIONS	
<b>ORDINANCE G-20</b>	12-6 PUBLIC V	VORKS	M°GINN
Evansville, Indiana o	ate certain public ways or po ommonly known as the alle Indiana along with the adjac	y way immediately east of	3100 Taylor
ORDINANCE F-20	12-3 FINANCE		FRIEND
An Ordinance of The	e Common Council of the Ci s of funds within a city depa	ty of Evansville authorizing the street (DMD)	ng transfers
ORDINANCE F-20	12-4 FINANCE		FRIEND
An Ordinance of The	e Common Council of the Citional appropriations and rep	ty of Evansville authorizing and re-appropriation of	ng transfers of funds for
ORDINANCE R-20	12-10 TO APC		C-1 to C-4
An Ordinance to Rez	one Certain Real Estate in t wn as 4701 N. First Avenue Walgreen Company Walgreen Company Steven L. Bohleber	ne City of Evansville, State	e of Indiana,
District:	John Friend, Ward 5		
ORDINANCE R-20	12-11 TO APC		C-4 to R-2
An Ordinance to Rez more commonly kno Petitioner: Owners:	cone Certain Real Estate in t wn as 3400 W. Virginia Stre Gerald J. Wildeman Gerald J. Wildeman		e of Indiana,
Representative: District:	Al Lindsey, Ward 6		
	dopt the Consent Agenda, F		
Councilman MC/	~'I / moved and Counci	man M' Dallad se	econded the

Motion to adopt the Consent Agenda First Reading as written.

Voice vote. \_\_\_ So ordered. \_\_\_

CONSENT AGENDA

SECOND READING OF ZONING ORDINANCES

FROM APC ORDINANCE R-2012-1

C-2 TO M-2

An Ordinance to Rezone Certain Real Estate in the City of Evansville, State of Indiana, more commonly known as 1430 West Franklin Street

Petitioner:

Davidson Family Adventures, LLC

Owners:

D. Andy Davidson Brian K. Carroll

Representative:

District:

Al Lindsey, Ward 6

This petition comes forward with a recommendation for approval from the Area Plan Commission, having 11 affirmative votes and 1 abstention.

#### ORDINANCE R-2012-2 FROM APC M-1 TO M-2 with U&D Comm.

An Ordinance to Rezone Certain Real Estate in the City of Evansville, State of Indiana, more commonly known as 5701 Old Boonville Hwy. and 5727 Old Boonville Hwy.

Petitioner:

Hoosier Bluegrass, LLC

Owners:

Same

Representative:

Krista B. Lockyear

District:

Stephanie Brinkerhoff-Riley, Ward 3

This petition comes forward with a recommendation for approval from the Area Plan Commission, having 12 affirmative votes.

#### FROM APC ORDINANCE R-2012-3

R-2 to C-1

An Ordinance to Rezone Certain Real Estate in the City of Evansville, State of Indiana, more commonly known as 517 and 521 Monroe Avenue, Evansville, Indiana 47713

Petitioner:

Annie J. Robinson

Owners:

Same

Representative:

Douglas K. Briody, Esq.

District:

Constance Robinson, Ward 4

This petition comes forward with a recommendation for approval from the Area Plan Commission, having 11 affirmative votes and 1 abstention.

#### R-4 to C-4 with U&D Comm. FROM APC ORDINANCE R-2012-4

An Ordinance to Rezone Certain Real Estate in the City of Evansville, State of Indiana, more commonly known as 306 Chandler Ave., Evansville, Indiana 47713

Petitioner:

ECHO Community Health Care, Inc.

Owners:

Same

Representative:

Krista B. Lockyear

District:

Constance Robinson, Ward 4

This petition comes forward with a recommendation for denial from the Area Plan Commission, having 1 affirmative votes and 11 negative votes.

ORDINANCE R-2012-5 FROM APC C-4 & R-1 to C-4 with U & D Comm.  An Ordinance to Rezone Certain Real Estate in the City of Evansville, State of Indiana, more commonly known as 2317 S. Weinbach Avenue & 1804 E. Riverside
Petitioner: East Side Marine, Inc.
Owners: Robert Wayne and Dixie Lee Herendeen
Representative: Krista B. Lockyear
District: Missy Mosby, Ward 2
This petition comes forward with no action from the Area Plan Commission, having 6 affirmative votes, 4 negative votes and 2 abstentions
Is there a motion to adopt the Consent Agenda Second Reading of Zoning Ordinances and to accept the Area Plan Commission Report?
Councilman M D Shy moved and Councilman W Q a V o f seconded the
motion to adopt the Consent Agenda Second Reading of Zoning Ordinances and to
accept the Area Plan Commission Report. Voice vote So ordered Council
now stands at Third Reading which is final action.

REGULAR AGENDA

#### THIRD READING OF ZONING ORDINANCES

ORDINANCE R-2012-1 FROM APC C-2 TO M-2
An Ordinance to Rezone Certain Real Estate in the City of Evansville, State of Indiana,

more commonly known as 1430 West Franklin Street

Petitioner:

Davidson Family Adventures, LLC

Brian Carroll
Robinson
Adams
Mr. Davidson
Adams
Robinson
Weaver
O'Daniel
Davidson

Is there a motion to adopt Ordinand	ce R-2012-1 and call t	the roll?
Councilman A Dalve mov	ved and Councilman _	Friend seconded the
motion to adopt Ordinance R-2012	-1 and call the roll.	
M <sup>e</sup> GINN	FRIEND	$\sqrt{o'p}$ aniel
MOSBY	LINDSEY	WEAVER
BRINKERHOFF-RILEY	ADAMS	ROBINSON

There being \_\_\_\_\_ Ayes and \_\_\_\_\_ Nays, Ordinance R-2012-1 is hereby declared ADOPTED/DENTED.

AS AMENDED

City Council Meeting Extended Agenda April 9, 2012 Page 7

REGULAR AGENDA

THIRD READING OF ZONING ORDINANCES

ORDINANCE R-2012-2 FROM APC M-1 TO M-2 with U&D Comm.

An Ordinance to Rezone Certain Real Estate in the City of Evansville, State of Indiana, more commonly known as 5701 Old Boonville Hwy. and 5727 Old Boonville Hwy.

Petitioner: Hoosier Bluegrass, LLC

Krista Lockyear Robinson

Is there a motion to adopt Ordinance R-2012-2 and call the roll?

Councilman | Councilman | Adm S | seconded the motion to adopt Ordinance R-2012-2 and call the roll.

McGINN | FRIEND | O'DANIEL |

MOSBY | LINDSEY | WEAVER |

BRINKERHOFF-RILEY | ADAMS | ROBINSON

There being \_\_\_\_\_ Ayes and \_\_\_\_\_ Nays, Ordinance R-2012-2 is hereby declared ADOPTED/DENIED.

#### REGULAR AGENDA

THIRD READING OF ZONING ORDINANCES

ORDINANCE R-2012-3 FROM APC R-2 to C-1
An Ordinance to Rezone Certain Real Estate in the City of Evansville, State of Indiana, more commonly known as 517 and 521 Monroe Avenue, Evansville, Indiana 47713

Petitioner: Annie J. Robinson

Doug Briody Robinson O'Daniel Briody Robinson

Is there a motion to adopt Ordinance R-2012-3 and call the roll?

Councilman Work moved and Councilman Mosky seconded the motion to adopt Ordinance R-2012-3 and call the roll.

M°GINN FRIEND O'DANIEL

MOSBY LINDSEY WEAVER

BRINKERHOFF-RILEY ADAMS ROBINSON

There being Ayes and Nays, Ordinance R-2012-3 is hereby declared ADOPTED/DENIED.

R-4 to C-4 with U&D Comm.

Krista Lock. Adams Robinson			
Is there a motion to adopt Ordinance  Councilman Adams move  motion to adopt Ordinance R-2012-	e R-2012-4 and call th	e roll?	ckton
Councilman Adams mov	ed and Councilman	DANIE seconded t	the Area C
motion to adopt Ordinance R-2012-	4 and call the roll.		PIAN
M <sup>e</sup> GINN	FRIEND	O'DANIEL	
MOSBY	LINDSEY	WEAVER	
BRINKERHOFF-RILEY	ADAMS	ROBINSON	

Ayes and \_\_\_\_ Nays, Ordinance R-2012-4 is hereby declared

REGULAR AGENDA

Petitioner:

There being

ADOPTED/DENIED.

THIRD READING OF ZONING ORDINANCES

An Ordinance to Rezone Certain Real Estate in the City of Evansville, State of Indiana,

ECHO Community Health Care, Inc.

more commonly known as 306 Chandler Ave., Evansville, Indiana 47713

ORDINANCE R-2012-4 FROM APC

REGULAR AGENDA

THIRD READING OF ZONING ORDINANCES

C-4 & R-1 to C-4 with U & D Comm. ORDINANCE R-2012-5 FROM APC

An Ordinance to Rezone Certain Real Estate in the City of Evansville, State of Indiana, more commonly known as 2317 S. Weinbach Avenue & 1804 E. Riverside

East Side Marine, Inc. Petitioner:

Krista Lockyear Hom: HON Adams Friend

Adoms moved Friend Seconds

Is there a motion to adopt Ord	inance R-2012-5 and call the	e roll?	
Councilman	moved and Councilman	seconded the	
motion to adopt Ordinance R-2012-5 and call the roll.			
MºGINN	FRIEND	O'DANIEL	
MOSBY	LINDSEY	WEAVER	
BRINKERHOFF-RILE	YADAMS	ROBINSON	
There being Ayes and ADOPTED/DENIED.	Nays, Ordinance R-2012	2-5 is hereby declared	

CONSENT AGENDA SECOND READING OF ORDINANO	CES OR RESOLUTIONS	
ORDINANCE G-2012-5	A.S.D.	MOSBY
An Ordinance amending the Municipal		
ORDINANCE F-2012-2 (as amended)		FRIEND
An Ordinance of The Common Council appropriations, additional appropriations various city funds.		
RESOLUTION C-2012-3	FINANCE	FRIEND
A Resolution of the Common Council of Recovery Site for 5401 US highway 41		ng an Industrial
COMMITTEE REPORTS:		
A.S.D. COMMITTEE	CHAIRWOMAN MOSB	
Councilwoman Mosby: Madam Presid		
evening to hear Ordinance G-2012-5 and recommendation.	d it comes forward with a (do pa	assido not pass)
FINANCE COMMITTEE Councilman Friend: Madam President hear Ordinance F-2012-2 (as amended) a with a (do pass/do not pass) recommend	and Resolution C-2012-3 and be	this evening to oth come forward
	,	
``		
Councilman O Daniel moved and Co	ouncilman <u>    N O a V O   C</u> second	ded the
motion to adopt the Committee Reports and		ution to Third
Reading. Voice voteSo ordered		

REGULAR AGENDA THIRD READING OF ORDINANCES OR RESOLUTIONS
ORDINANCE G-2012-5 A.S.D. MOSBY An Ordinance amending the Municipal Code of the City of Evansville: Zoning Code.
An Ordinance amending the Municipal Code of the City of Evalisyme. Zoning Code.
Robinson
Is there a motion to adopt Ordinance G-2012-5 and call the roll?
Councilman Mosby moved and Councilman Friend seconded the
motion to adopt Ordinance G-2012-5 and call the roll.
ROLL CALL
M°GINN FRIEND O'DANIEL
MOSBYLINDSEYWEAVER

There being Ayes and Nays, Ordinance G-2012-5 is hereby declared ADOPTED/DENIED.

ROBINSON

BRINKERHOFF-RILEY

REGULAR AGENDA
THIRD READING OF ORDINANCES OR RESOLUTIONS
ORDINANCE F-2012-2 (as amended) FINANCE FRIEN An Ordinance of The Common Council of the City of Evansville authorizing transfers
appropriations, additional appropriations and repeal and re-appropriation of funds for
various city funds.
Is there a motion to adopt Ordinance F-2012-2 (as amended) and call the roll?
Councilman Friend moved and Councilman Ried seconded the
motion to adopt Ordinance F-2012-2 (as amended) and call the roll.
ROLL CALL
OUD ANIET
M°GINN FRIEND O'DANIEL
MOSBY LINDSEY WEAVER

There being O Ayes and O Nays, Ordinance F-2012-2 (as amended) is hereby declared ADOPTED/DENTED.

BRINKERHOFF-RILEY

\_\_\_\_ADAMS

REGULAR AGENDA THIRD READING OF ORDINANCES OR RESOLUTIONS		
	FINANCE	FRIEND
RESOLUTION C-2012-3 A Resolution of the Common Coun	cil of the City of Eva	nsville Declaring an Industrial
Recovery Site for 5401 US highway	v 41 North. Evansville	e. IN 47711
1000 voly 510 for 5 for 55 ingirms,	, 1111011-, — 11	- <b>,</b>
• 😴		
,		
1, 1	,	
•		
Is there a motion to adopt Resolution	on C-2012-3 and call t	he roll?
•		4
Councilman Weaver mov	ed and Councilman _	rema seconded the
motion to adopt Resolution C-2012	-3 and call the roll.	•
ROLL CALL		
	PRIENTO	ONDANIEL
M <sup>c</sup> GINN	FRIEND	O'DANIEL
MOSBY	LINDSEY	WEAVER
BRINKERHOFF-RILEY	ADAMS	ROBINSON

There being \_\_\_\_ Ayes and \_\_\_\_ Nays, Resolution C-2012-3 is hereby declared

ADOPTED/DENHED.

## MISCELLANEOUS BUSINESS

There will not be a City Council Meeting on Monday, April 16, 2012. The next City

	2012 at 5:30 p.m. Committee meetings wil
COMMITTEE REPORTS: Youth Sports Grant Subcommittee Date: April 10, 2012 Time: 4:00 p.m. to 6:00 p.m. Room 301	Mtg. Chairman Dan M <sup>c</sup> Ginn Members: Mosby, Weaver, Friend, Robinson
ASD COMMITTEE: Nothing scheduled at this time.	CHAIRWOMAN MOSBY
FINANCE COMMITTEE: Ordinance F-2012-3 Date: April 23, 2012 Time: 5:10 p.m. Notify: Jane Reel	CHAIRMAN FRIEND An ordinance authorizing transfers and re-appropriations of funds within a city department (DMD)
Ordinance F-2012-4 Date: April 23, 2012 Time: 5:15 p.m. Notify: Russell Lloyd	An ordinance authorizing transfers of appropriations, additional appropriations and repeal and re-appropriation of funds for various city funds
PUBLIC WORKS COMMITTEE: Ordinance: G-2012-6 Date: April 23, 2012 Time: 5:20 p.m. Notify: Brian Carroll	CHAIRMAN McGINN An ordinance to vacate part of an alley at 3100 Taylor Dr.
ADJOURNMENT Councilman Masky moved a	and Councilman O'Danie
seconded the motion to adjourn. Voice Vote	
Meeting adjourned at $6.70$ p.m.	